

ORLEANS COUNTY MONITOR

PUBLISHED WEEKLY AT
BARTON, VERMONT.
WALLACE H. GILPIN,
EDITOR AND PUBLISHER.

TERMS:—When Paid Strictly in Advance
\$1.50 A YEAR.
In asking for a change of address, always
state where your paper is now sent.

Get into the Christmas spirit, and
continue in it.

Legislature friends have returned.
They are looking "comfortable" even
if it was necessary for them to stay
there and draw more pay than any
former legislators.

We reprint in this issue an anonymous
statement by some friend of
Mr. Howard, ex railroad commis-
sioner, with the purport of explain-
ing the conduct of Mr. Howard while
on this commission. The article is
printed by request and gives the
other side (the committee's side be-
ing presented in the MONITOR last
week) of the charge of graft. The
article has a very legal style, it is
written after the fashion of a brief,
indeed it is our opinion that the article
was written by a legal gentleman.
The question is, who this legal friend?

Henry B. Cushman of Newport,
county clerk, has been appointed by
Governor Proctor judge of the
new municipal court at New-
port, and Mr. Cushman is a
good man for such an office;
but from what we learn of the bill
creating this court we should say the
word "municipal" was not rightly
used. It is not only a municipal court,
it is more; it is not a circuit court,
it is not a district court, neither is it
a county court or a justice court, nor
a supreme court, it is a court entirely
new to Vermont, it is a "hybrid"
court, that's what it is. It not only
has the power to sit in cases from the
incorporation of Newport but from
the entire town, and the towns of
Derby and Coventry, and power to
sit in criminal cases from the entire
county. It means that for the trial of
a criminal case from Greensboro or
Craftsbury, or any other town in the
county, all parties concerned may
be called upon to hire themselves
to Newport to this hybrid court.

WHAT THE PAPERS SAY.

The government is to pay \$13,500 for
land on which to erect a postoffice
building in Barre. This is an exceed-
ingly good bargain as compared with
the price of \$15,000 paid by the gov-
ernment a few years since for a lot of
about the same size in the quiet town
of Newport, with hardly more than
one-third the population of Barre.
—Northfield News.

Lieut.-Gov. Prouty and Speaker
O Cheney are to be congratulated on
the handsome manner in which their
services as presiding officers in their
respective branches of the legisla-
ture were recognized by substantial
presents yesterday. It is safe to say
that these mementoes will long be
cherished as enduring tokens of es-
teem.—Burlington Free Press.

The appointment of John W. Red-
mond as chairman of the new board
of railroad commissioners is a case
wherein the state is to be congrat-
ulated on securing a man of stern
judgment and excellent legal ability.
There'll be something doing now with
that board, and the state's interests
will be looked after as they should, but
"Gov." Porter and S. H. Jackson, the
two other members, are also strong
men and the trio will make up a board
of commissioners that the state can
rely upon to do their duty without
fear or favor.—Morrisville News and
Citizens.

Among the men who have served
the state faithfully and well during
the recent session of the legislature
Lieut.-Gov. George H. Prouty and
Speaker Thomas C. Cheney must be
given conspicuous place. As presid-
ing officers of the senate and house of
representatives, respectively, they
have not only expedited the public
business with singleness of purpose
and patriotic industry and zeal, but
they have borne a stronger part in
shaping legislation in the first place
than is ever likely to appear in the
official records. Both these broad-
minded men have devoted themselves
and their acknowledged abilities to
the conscientious performance of the
trust that was reposed in them and
have discharged the task well.—St.
Albans Messenger.

E. C. DeWitt & Co., of Chicago, at whose
laboratory Kodol is prepared, assure us that
this remarkable digestant and corrective for
the stomach conforms fully to all provisions
of the National Pure Food and Drug Law.
Sold by Fred D. Pierce, Barton; F. J. Kinney,
Barton Landing.

HOWARD CHARGES ANALYZED.

(Reprinted from the Montpelier
Argus of December 13, by request of
friends of Mr. Howard.)

The "overcoat" question dilated
upon in the report of the special com-
mittee to investigate the state boards
is still among the principal topics of
discussion about the statehouse, and
the unusual advice of the committee
for civil proceedings is a subject of
much debate. It has compelled the
members to sit up and look around,
and all sorts of opinions and ideas
are heard in the lobbies and coat
rooms at the capitol.

An analysis of the report shows in
respect to the railroad commission
that Smith charged for 554 days,

Bingham 497½ and Howard 414.
Smith and Bingham had office work
noted. Howard had none. Smith
worked on an average of 20 days a
month for the biennial period, Bingham
18 days and Howard 15 days.

Now in respect to the alleged
"graft" in the Howard items. How-
ard was charged with 56 days going
to hearings, \$336. Use of own team
\$136.

As to the item of \$336, the commit-
tee holds that Howard could have
made the same connections by start-
ing the next morning and that "upon
such occasion this charge for a day's
work and hotel and other expenses
until the next morning were unneces-
sary and unlawful." The commit-
tee said a stage left Craftsbury at
5:30 or Howard could take his own
own team and start at 7 o'clock and
make connections. The principal
criticism they had against him is that
he started the day before and charged
for it.

The federal authorities recognize
the question of going to and return-
ing from official duties thus:
By Sec. 8 of acts approved May
25th, 1896, (29 Stat. L., 179) it was
enacted that district attorneys and
their assistants shall receive actual
and necessary traveling expenses
while absent from their respective
official residences and necessarily
employed in going to, returning from
and attending before, etc.

The next complaint against Howard
is his charge for \$136 for his own
team, and that he took vouchers from
members of his family and others.
The ruling in Vermont is that bills
must be supported by vouchers, even
if given by the party directly inter-
ested. Referring again to govern-
ment practice, page 157 of the in-
structions to United States marshals,
attorneys, clerks, and commissioners
issued April 1, 1904, by paragraph
479, it is provided that where a
deputy uses his own horse for team,
the amount charged must be reason-
able and not to exceed those usually
charged in the district.

Page 93, instructions to the United
States marshal, etc.; by paragraph
407 it is provided that receipts shall
not be required for the deputy's own
horse or team.

The precedents in Vermont in the
matter of Darling, trustee of the
state hospital, and Gates, highway
commissioner, vouchers were given
and signed by themselves for the use
of their own team, as were required
of them.

It is interesting to note what the
authorities say on the question of
"day."

The word "day" when used in a
contract or statute unless it is
restricted means the whole 24 hours.
Miner v. Goodyear, 62 Conn. 410.

The term "day" as used in a con-
tract providing for a payment of so
much a day, means a working day.
McCloskey v. Klasterman, 10 L. R. A.
735.

Ordinarily day is the space of time
which elapses while the earth makes
a complete revolution on its axis, but
artificially it is the time between the
rising and setting of the sun.

And in an act, providing that the
commissioners of insanity shall be
allowed at the rate of \$3 per day
each, for the time actually employed
in the duties of their office, the term
is not to be so construed, and the
statute entitles the commissioners to
full compensation whenever they
perform services on a given day,
regardless of the number of hours
spent in such employment.

White v. Dallas Co., 87 Iowa 53.

The law does not recognize frac-
tions of days and when it provides a
per diem compensation for the time
necessarily devoted to the duties of
an office, the officer is entitled to his
daily compensation for each day on
which it becomes necessary for him
to perform any substantial, official
service, if he does perform the same,
regardless of the time occupied in its
performance.

10 Col., page 17.

Where the compensation of the
porters of the senate is fixed by law
at four dollars per day, the word
"day" covers whatever period of
twenty-four hours the senate chooses
to remain in session. They are not
paid by the amount of work which
they do, but by the day, and we think
it is too clear for discussion that the
word "day" as used in the statute
covers whatever period of the twenty-
four hours the legislators choose
to remain in session.

77 Col., page 474-475.

V. S. 5366, paragraph 9.

This section provides that sheriffs
and deputies shall be allowed two
dollars per day for each day's
attendance upon court.

The length of time the court is in
session on any given day is not ma-
terial in determining the allowance.
Sec. 5387 V. S.

This section provides that justices
shall be allowed two dollars per day
for each day's time occupied in the
trial of criminal causes. The number
of hours occupied in the trial is not
material in determining the amount
to be paid.

The next items complained of are:
Springfield trip, \$41.36; Hanover trip,
\$9.45; state convention, \$9.45. Total

\$70.20. The committee does not say
how much the expense of the mem-
ber of his family was at Burlington,
neither do they say how much the
telephone account is and what part
was not state business.

The Howard testimony has not yet
been placed on file, so that the rea-
sons given by him for the Springfield
and Hanover trip are not clear,
although the report is that he had to
stay somewhere the nights in question
as he could not get home and that,
his transportation not costing any-
thing, he went to these points, but
did not charge any more than the
extra day allowed to get home.

The charge for the extra day going
to and returning is nothing new in
this state, and if the findings of the
committee in this respect must be
taken as law on the subject, then all
state boards and commissions will
have to govern themselves accord-
ingly, for there is no doubt it has
been the unquestioned practice in
many if not all cases. The question
of charging for one's own team is
simply one of ethics. The question
then resolves itself as to the propriety
of the charges in the total \$70.20 for
Springfield, Hanover and state con-
vention bills.

Howard has been made the scape-
goat in the whole matter, and probably
will have few defenders, still if the
authorities substantiate his claims he
can get as much justice out of the
case by inviting the state to bring
proceedings against him, and let the
matter of the legality of the charges
be determined in the courts, although
it is very doubtful if the attorney-
general would care to bring action
unless he saw his way clear to win
the suit in behalf of the state, for the
vindication of the resigned commis-
sioner is a matter of no concern to
that office.

A Card.

We, the undersigned, do hereby agree to
refund the money on a 50-cent bottle of
Greene's Warranted Syrup of Tar if it fails to
cure your cough or cold. We also guarantee
a 25-cent bottle to prove satisfactory or
money refunded.

Fred D. Pierce, Barton
H. S. Webster, Barton Landing
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G. E. Shepherd Co., South Albany
E. O. Randall, West Glover
J. G. King & Son, Glover
J. W. Brown & Son, Ewa,ville
G. J. Brooks, Coventry
E. W. Barron Co., Barton

Legislature Adjourns.

After the longest session of the
legislature and in many ways the
most successful and fruitful the Ver-
mont legislature adjourned Thursday
morning without date.

One of the last important bills con-
sidered was the automobile bill,
which after several amendments was
passed. The appointments made by
Governor Proctor and confirmed by
the senate are as follows:

Railroad commissioners—John W.
Redmond of Newport, chairman, for
a term of six years; Ed H. Porter of
Wilmington for a term of four years;
J. S. Hollister Jackson of Barre for a
term of two years.

Board of penal institutions—John
E. Weeks of Middlebury for a term of
six years, Roger W. Hubbard of Hyde
Park for a term of four years; New-
man K. Chaffee of Rutland for a term
of two years.

State board of agriculture—George
Aitkin of Woodstock, Dana H. Morse
of Randolph, Frank L. Russell of
Shrewsbury.

Gov. Proctor, after careful con-
sideration of the merits and claims of
all the candidates, has re-appointed
Judson E. Cushman of Burlington
commissioner of state taxes, and
Luther A. Cobb of Brighton as in-
spectors of finances.

A Wonderful Saving.

The largest Methodist church in Georgia
calculated to use over one hundred gallons of
the usual kind of mixed paint in painting
their church.

They used only 32 gallons of the Longman
& Martinez Paint mixed with 24 gallons of
linseed oil. Actual cost of paint made was
less than \$1.20 per gallon.

Saved over eighty (\$80.00) dollars in paint,
and got a big donation besides.

EVERY CHURCH will be given a liberal
quantity whenever they paint.

Many houses are well painted with four
gallons of L. & M. and three gallons of lin-
seed oil mixed therewith.

Wears and covers like gold.

These Celebrated Paints are sold by H. C.
Pierce.

Christmas Advice

There can be no better Christmas Gift
than a Savings Bank Account with
The Central Savings Bank & Trust
Company, Barton Landing, Vt.

A few reasons why.

It will be safe.
It will bear interest at the rate of 3½
per cent.
It will establish a good habit.
It will be best appreciated by the recip-
ient.

Central Savings Bank & Trust Company,
Barton Landing, Vermont
J. G. TURNBULL, Prest.
R. A. BEAN, Treas.

STATE NEWS.

Judge E. B. Flinn of Springfield.
Governor Proctor has appointed E.
B. Flinn, of Springfield, a member of
the court of claims to succeed F. C.
Williams, of Newport, resigned.

Probably Oldest Woman in Vermont.

The oldest woman in Vermont prob-
ably resides in Burlington and will
next month celebrate the 103rd an-
niversary of her birth. Her name is
Mrs. Tobe Rosenberg. She has passed
the year at the home of her grand-
daughter, Mrs. A. H. London, and,
with the exception of being blind, is
in good health. She can tell all her
friends and relatives, however, by
their voices and has good conversa-
tional powers.

May Have Hospital in Barre.

At the recent annual meeting of the
Barre City Hospital Association offi-
cers were elected for the ensuing
year, and plans discussed for the
opening of public city hospital. To
further the project and see if a be-
ginning could not be made this com-
ing spring, a committee of five was
appointed to prepare a statement of
the needs for opening a hospital in a
small way to begin with, and the ex-
penses of conducting the same for a
year.

Appointments by Governor.

In accordance with the provisions
of senate bill 146 Governor Proctor
has appointed as a committee to
formulate a uniform system of re-
cords and forms for judges of probate
and county clerks, H. A. Harmon of
Rutland, C. J. Russell of Burlington,
H. T. Cushman of Bennington, M. A.
Bingham, of Burlington, F. E. Alfred
of Newport and A. F. Schwenk of
Brattleboro. The first three named
are county clerks and last three judges
of probate court. Governor Proctor
also appointed Henry B. Cushman to
be judge of municipal court at New-
port.

Wildcat and Deer.

Cries of agony from a field in West-
minster attracted the attention of
several residents of that town Monday
afternoon and an investigation show-
ed that a young buck had become the
prey of a large wildcat. On hearing
the cries, supposed to have been
made by the buck, George Boutelle,
Walter Hitchcock and Lewis Hitch-
cock went to the scene and the sight
they found told of a hard struggle.
The carcass of the buck, bleeding from
several deep wounds, lay on the
ground, while the snow for some dis-
tance around was red with blood.
When the three persons drew near
the wildcat made off into the woods.
The buck weighed about 100 pounds.
It was turned over to the game warden.

Trustees, School Fund.

The governor Tuesday appointed J.
A. DeBoer of Montpelier, Z. M. Man-
sur of Newport and J. L. Southwick
of Burlington members of the board
of trustees of the permanent school
fund provided by house bill No. 299.
The full board consists of the gov-
ernor, lieutenant-governor, state su-
perintendent of education and state
treasurer, ex-officio, in addition to
the three mentioned above. The
trustees met in executive chamber
and organized by electing Gov. F. D.
Proctor chairman; J. A. DeBoer, sec-
retary; J. A. DeBoer, G. H. Prouty
and Z. M. Mansur a committee on
finance, the law providing that the
secretary shall be one of the members
of the committee on finance. The
permanent school fund consists at
present of \$1,120,215.20, this sum be-
ing the aggregate of the Huntington
fund, \$211,131.46; the United States
deposit fund, \$669,086.74, and the Ver-
mont war claim fund, \$240,000, the
aim of the commission being to de-
vise means to increase it to at least
\$2,000,000.

Kennedy's Laxative Cough Syrup drives
out the cold and stops the cough. Con-
tains Honey and Tar. Free from any
opiates. Confers to the National Pure Food
and Drug Law. Pleasant to take. Sold by
Fred D. Pierce, Barton; F. J. Kinney, Barton
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LIV-ER-IDS CURE CONSTIPATION
Dr. Oldman's famous Prescription
Non-permanently cures Constipation, Bilious-
ness, Sick Headache. Price 25 Cents.

Green Cut Bone for Poultry.

During freezing weather we cut up a
great many tons of green bone and
meat. There is nothing better for pou-
ltry. Price \$3.50 per barrel of 200
pounds, at which we prepay freights
to almost any station. At this price
cash must accompany order. Remit
at our risk by check, postal money or-
der, express money order or regis-
tered letter. Carroll S. Page, Hyde Park,
Vt.

Page's Perfected Poultry Food

may be obtained of the following:
E. G. Way W. Burke, Vt.
A. D. Thurber, Cov. N.Y., Vt.
The E. W. Barron Co., Barton.
A. A. Webster, So. Albany, Vt.
Chas. W. Wheeler, Irasburg, Vt.
J. B. Holton, W. Charleston, Vt.
Webster & Howard, E. Burke, Vt.
Twombly & Colson, Barton Land-
ing, Vt.
W. A. Merriam & Son, Glover, Vt.
A. L. Tripp, Sheffield, Vt.

We want agents in every village
where our Poultry Food is not sold. If
it is not on sale in your village we will
send you, freight prepaid, a 125 pound
sack for \$4.00 or a 60 pound sack for
\$2.00.

CARROLL S. PAGE,
Hyde Park, Vermont

W. L. DOUGLAS
\$3.50 & \$3.00 Shoes
BEST IN THE WORLD

W. L. Douglas's \$4 Gilt Edge line
cannot be equalled at any price



SHOES FOR EVERYBODY AT ALL PRICES.
Men's Shoes, \$5 to \$15.00. Boys' Shoes, \$3
to \$1.25. Women's Shoes, \$4.00 to \$1.50.
Misses' & Children's Shoes, \$2.25 to \$1.00.
Try W. L. Douglas Women's, Misses' and
Children's shoes; for style, fit and wear
they excel other makes.
If I could take you into my large
factories at Brockton, Mass., and show
you how carefully W. L. Douglas shoes
are made, you would then understand
why they hold their shape, fit better,
wear longer, and are of greater value
than any other make.

Wherever you live, you can obtain W. L.
Douglas shoes. His name and price is stamped
on the bottom, which protects you against high
prices and inferior shoes. Take no substitutes.
Ask your dealer for W. L. Douglas shoes
and insist upon having them.
Fast Color Engraving used; they will not wear hoarse.
Write for Illustrated Catalog of Fall Styles.
W. L. DOUGLAS, Brockton, Mass.

Sleighs, Sleighs,
Sleighs

We have just received two car-
loads of old comfort

Portland Vermont Jumpers
and Top Sleighs

From \$25 up.
Be sure and get one of our
Sleigh Warmers and take comfort
when riding.

Remember that we keep the larg-
est line of Blankets in town and
can give you very low prices.

Yours truly,

Fred S. Whitcher
BARTON, VERMONT

ATTENTION!
LUMBERMEN

Just received an invoice of 10
doz. Axes, which we guarantee to
give satisfaction or money refund-
ed.

We have in stock a large line of
cross-cut saws; also one-man saws.

WEDGES and CANT HOOKS

Our supply of horse blankets is
in. They are this years stock and
beauties.

We are headquarters for rifles
and shot-guns. Cartridges in every
caliber.

Our stone meat jars are here.
Sizes 10 to 30 gals.

GLASS and PUTTY

Stove pipe all sizes And many
other things you must have before
winter.

D. A. Brahana
Irasburg, Vt.

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Stomach Diseases.

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Vt. Office hours 10:15 a.m. to 4 p.m.
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1:00 to 3:30 p.m. Appointment at other hours
by letter or telephone. Special attention
paid to chronic diseases and diseases of the
nervous system.

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H. J. BALL, West Derby, N.
FLORAL DESIGNS A SPECIALTY
10,000 Feet Glass.
Telephones, Bell, 47-14; Peoples, 142

Courses in Engineering, in
Chemistry, in Arts, etc.,
—AT THE—
Military College of the State of Vermont

Norwich University
Northfield, Vermont.

PROBATE COURTS.

Probate Courts will be held at the Probate
Office in Newport each Monday. At the office
of F. W. Baldwin in Barre on the second
of P. W. Baldwin in Barre on the second
of Friday of each month; at the office of J. J.
D. Carpenter at Barton Landing in the
luncheon of the third Friday of each month.
F. E. ALFRED, Judge of Probate.

TIME TABLE.

B. & M. R. R.—Conn. & Pab. D. R.
In effect Oct. 8, 1906

Trains Leave
NEWPORT—North—4:40 a.m.; 8:20 a.m.;
8:30 a.m.; 10:40 a.m.; 12:30 p.m.; 1:40 p.m.;
2:50 p.m.; 4:30 p.m.; 10:30 p.m.
COVENTRY—North—12:24 p.m.; 4:30 p.m.;
South—7:01 a.m.; 4:10 p.m.

BARTON LANDING—North—4:40 a.m.; 8:20 a.m.;
8:30 a.m.; 10:40 a.m.; 12:30 p.m.; 1:40 p.m.;
2:50 p.m.; 4:30 p.m.; 10:30 p.m.
South—7:01 a.m.; 4:10 p.m.

BARTON—North—4:40 a.m.; 8:20 a.m.; 8:30 a.m.;
10:40 a.m.; 12:30 p.m.; 1:40 p.m.; 2:50 p.m.;
4:30 p.m.; 10:30 p.m.
South—7:01 a.m.; 4:10 p.m.

SOUTH BARTON—North—11:30 a.m.; 8:20 p.m.
South—7:40 a.m.; 4:40 p.m.

SUTTON—North—11:30 a.m.; 8:20 p.m.
South—7:40 a.m.; 4:40 p.m.

WEST BURKE—North—8:30 a.m.; 12:30 p.m.;
5:12 p.m. South—12:30 p.m.; 5:12 p.m.;
8:12 p.m.

LYNDONVILLE—North—8:30 a.m.; 12:30 p.m.;
5:12 p.m. South—12:30 p.m.; 5:12 p.m.;
8:12 p.m.

LYNDON—North—11:30 a.m.; 4:40 p.m. South
8:20 a.m. 5:00 p.m.